



WILLIAM P. DENI, JR.
Director

Gibbons P.C.
One Gateway Center
Newark, New Jersey 07102
Direct: (973) 596-4853 Fax: (973) 639-8373
wdeni@gibbonslaw.com

April 11, 2025

VIA ECF

Honorable Tonianne J. Bongiovanni, U.S.M.J.
United States District Court
District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

Re: *Arbutus Pharma Corp., et al. v. Pfizer Inc., et al.*
Civil Action No. 23-1876 (ZNQ) (TJB)

Dear Judge Bongiovanni:

This firm represents Defendant BioNTech SE in the above-referenced action. We write on behalf of Defendants BioNTech SE and Pfizer Inc. regarding the letter submitted this afternoon by Plaintiffs Arbutus Pharma Corp. and Genevant Sciences GmbH concerning Arbutus' CEO, Lindsay Androski's, designation under the DCO. *See* ECF No. 171. Defendants do not oppose Plaintiffs' request that their deadline to submit a response to Defendants' April 10 letter be set for April 21, but Defendants request that Ms. Androski be barred from receipt and review of Defendants' Highly Confidential and Confidential Information until resolution of this dispute. Otherwise, Defendants request that the Plaintiffs' deadline be set no later than April 15 and that the Court schedule a conference at its earliest convenience to address this issue.

Defendants strongly disagree with Plaintiffs' assertion that this matter is not "time sensitive." ECF No. 171 at 1. Defendants have been diligently working to resolve this issue since learning that Ms. Androski was promoted to CEO, taking seriously the duty to meet and confer and hoping to resolve this dispute without Court intervention. Any alleged delay in bringing this to the Court's attention is a product of Plaintiffs' delayed and conclusory responses to Defendants' inquiries, as well as Plaintiffs' unreasonableness. *See* ECF No. 170 at 2–3. There is simply no prejudice to Plaintiffs from a temporary pause of Ms. Androski's access to Highly Confidential and Confidential Information while this dispute is pending, whereas the harm to Defendants may be severe.

We thank the Court for its attention to this matter and are available at the Court's convenience for a conference to address this dispute.

Respectfully submitted,

s/ William P. Deni, Jr.
William P. Deni, Jr.

cc: All counsel of record (via ECF)